



Public Records Data Reporting Frequently Asked Questions

The following information is intended to supplement and clarify JLARC's guidance for public records data reporting. It is not to be construed as legal advice.

Metric	Question	Answer
2	Under the bullet that defines "respond," does item number 4 ("acknowledge the request and request clarification") also include any reach out to the requester other than basic confirmation of request?	<p>The focus of this metric is the average number of days it took an agency to respond to public records requests, not the number of days it took to fulfill or complete the request.</p> <p>The current statutory language requires that agencies respond to a public record request within five days. If clarification is required before the request can be fulfilled, the statute allows an agency to respond by acknowledging receipt of the request and at the same time requesting additional clarification as long as the acknowledgement occurs within five days. So, for the purposes of responding to this metric, the focus is on the number of days it took the agency to acknowledge the request.</p> <p>Additional outreach to the requester beyond the statutorily required response is not relevant to this metric.</p>

Metric	Question	Answer
5	Why does the guidance exclude requests that are closed within five days?	This metric is focused specifically on requests for which the agency has provided an estimated time for full disclosure. If the request is closed within five days, we assume that the agency has not provided an estimate for full disclosure.
7	To respond to this metric, agencies are asked to provide two numbers – the number of requests closed in the reporting period that were denied in full, and the number of requests closed that were denied in part and/or included one or more redaction. Just because something was redacted, does not imply any denial. Especially in public safety situations. For (some agencies) this would cause almost all to look like denials.	A denial of a request can occur when an agency withholds an entire record or a portion of it. For purposes of responding to this metric a redaction is considered a denial of a portion of a record.
10	The guidance asks for five data points, including “total number of requests closed where there were no responsive records or the request was closed for some other reason without being fulfilled.” This bullet is very vague and has no bearing on the metric so we are confused.	This data point was included to ensure that agencies could report on 100% of the requests closed during the reporting period. The other data points address requests that are closed because they have been fulfilled. Stakeholders pointed out that some requests can be closed for other reasons.
16	Should the cost of acquisition of a records system be included in our total if that cost was incurred prior to the reporting period?	No. Include only those costs that are incurred during the reporting period.
17	Please define customized service charges.	Customized service charges were authorized by the legislature in 2017. For more information please refer to Engrossed House Bill 1595, Section 3(3) .